SUPPORT FOR THE AMENDMENTS

The specification has been amended to correct the items identified in paragraphs 11-14 of the Office Action. Claim 62 has been amended to include the subject matter of Claim 72, now canceled. Claim 62 has also been amended to remove polyoxyethylene higher alcohol ether as a choice for the surfactant. Claim 85 has also been canceled. No new matter is believed to have been added to the present application by the amendments submitted above.

REMARKS

Claims 62-71, 73-84 and 86-88 are pending. Favorable reconsideration is respectfully requested.

The present invention relates to a reagent for selective quantitative determination of cholesterols comprising, separately or as a mixture:

a compound selected from the group consisting of saponins, polyenes, cholesterol derivatives, phospholipid derivatives, bacitracin, polymyxin, suzukacillin and gramicidin;

a surfactant selected from the group consisting of polyoxyethylene (10) octyl phenyl ether, polyoxyethylene alkylene phenyl ether, polyoxyethylene tribenzyl phenyl ether, heptane sulfonic acid and octane sulfonic acid; and

an ezymatic reagent for determining cholesterol selected from the group consisting of (1) cholesterol esterase and cholesterol oxidase and (2) cholesterol esterase and cholesterol dehydrogenase,

where the polyenes are selected from the group consisting of nystatin, fillipin, pimacillyn, pentamycin, trichomycin, fungichromin, perimycin, amphotericin, etoluscomycin, primycin, and candigin.

See Claim 62.

The rejection of the claims under 35 U.S.C. §102(b) over Hino et al. is respectfully traversed. Hino et al. fail to disclose or suggest the compound recited in Claim 62. Therefore, Hino et al. fail to disclose the claimed reagent. Accordingly, withdrawal of this ground of rejection is respectfully requested.

The rejection of the claims under 35 U.S.C. §102(b) over Jones et al. is respectfully traversed.

Jones et al. disclose a method for localizing cholesterol with the use of (1) enzymatic reagent and (2) digitonin (which is a saponin). In the method in which the enzymatic reagent is used, cholesterol oxidase, cholesterol esterase and TritonX-100 are used. When digitonin is used, the sample is first incubated with cholesterol esterase to convert esterified cholesterol to free cholesterol and then the reagent containing digitonin is used. In this method, cholesterol oxidase is not used. When using digitonin, cholesterol is localized by allowing free cholesterol to deposit due to the concomitance of free cholesterol and digitonin. Accordingly, there is no motivation to combine cholesterol oxidase and TritonX-100. Therefore, the reference fails to disclose or suggest the claimed reagent. Accordingly, withdrawal of this ground of rejection is respectfully requested.

The obviousness-type double patenting rejection over Claims 1-7 of U.S. patent No. 6,939,682 is believed to be obviated by the amendment submitted above. The claims of the patent fail to suggest the compound specified in Claim 62. Accordingly, withdrawal of this ground of rejection is respectfully requested.

The obviousness-type double patenting rejection over U.S. application serial No. 11/184,117 is respectfully traversed. The claims of that application fail to suggest the compound specified in Claim 62. Accordingly, withdrawal of this ground of rejection is respectfully requested.

The obviousness-type double patenting rejection over U.S. application serial No. 11/184,118 is believed to be made in error. To the best of the undersigned's knowledge that application is not to the assignee of the present application. Accordingly, withdrawal of this ground of rejection is respectfully requested.

The objections to the specification and the claims are believed to be obviated by the amendments submitted above.

Applicants submit that the present application is in condition for allowance. Early notice to this effect is earnestly solicited.

Respectfully submitted,

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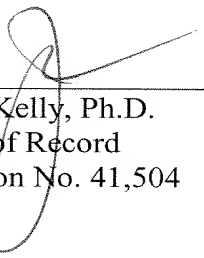
Norman F. Oblon



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